

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

JOSEPH VINES	:	CIVIL ACTION
	:	
v.	:	
	:	
DAVID DIGUGLIELMO	:	NO. 06-2658

ORDER

AND NOW, this 23rd day of January, 2007, upon careful and independent consideration of the petition for a writ of habeas corpus, and after review of the Report and Recommendation of United States Magistrate Judge Charles B. Smith and objections thereto by petitioner, it is hereby **ORDERED** that:

1. The Report and Recommendation is **APPROVED** and **ADOPTED**.
 2. The petition for a writ of habeas corpus is **DENIED** with prejudice.
 3. There is no probable cause to issue a certificate of appealability.
 4. The Clerk of the Court shall mark this case closed for statistical purposes.

BY THE COURT:

Berle M. Schiller, J.